

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 8, 1979
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman, Mullen
Snell, Trevino

Absent: Mayor Pro Tem Himmelblau

VETERAN'S DAY

Veteran's Day, according to a proclamation read by Mayor McClellan, will be observed Sunday, November 11, 1979. Ms. June Bell, member of the All Veterans Committee, thanked the Mayor and Councilmembers for the Proclamation. She introduced Master Chief Jerry Houser, Vice-General Chairman; I. P. Sarge Bell, Parade Chairman; the Poppy Girl for 1969, Cara Brown; Hardy Hollers, Commander, American Legion #76; Mary Brown, mother of Cara; and Mary Shepherd.

SISTER PHILOMENA WEEK

Sister Philomena Week, is to be observed November 11-17, 1979, according to a proclamation read by the Mayor. Sister Philomena, who has given 47 years of dedicated service at Seton Hospital, thanked the Mayor and Councilmembers for the Proclamation and said she hopes to be able to continue to serve mankind for several more years.

UNITED STATES MARINE CORPS DAY

Captain John K. Lynn and First Lieutenant George S. Lauer, members of the United States Marine Corps, were in the Council Chamber to receive a proclamation designating Saturday, November 10, 1979 as United States Marine Corps Day.

BLACKS IN POLITICS WEEK

Felicia Smith, representing the Afro-American Culture Committee, was the recipient of a proclamation designating November 12-16, 1979, as Blacks in Politics Week, which was read by Councilmember Snell. Ms. Smith thanked the Mayor and Council for the proclamation.

GREAT AMERICAN SMOKEOUT DAY

Councilmember Goodman read a proclamation for Great American Smokeout Day which will be observed November 15, 1979. Charles Arnold and Charles Miller, Chairman and member of the Smokeout Committee, accepted the proclamation with their appreciation.

OLD BAKERY AND EMPORIUM VOLUNTEER RECOGNITION DAY

Mayor McClellan presented a proclamation designating November 8, 1979, as Old Bakery and Emporium Volunteer Recognition Day. Diane Best, President of the Advisory Board - Old Bakery, thanked the Mayor and Council for the proclamation. The Mayor then read a special recognition for Lou Flory who is the Volunteer of the Year for the Old Bakery. Ms. Flory expressed appreciation for the recognition.

OPERATING ROOM NURSE DAY

Operating room nurses from the area hospitals were in the Council Chamber to receive a proclamation read by the Mayor which sets aside November 14, 1979, as Operating Room Nurse Day. The nurses accepting the proclamation were Barbara K. Howell, who thanked the Mayor; Mrs. Alda Leamon, Patricia Burt; Lois McCullogh and Jean Davis.

Mayor McClellan noted that Mayor Pro Tem Himmelblau usually reads proclamations concerned with health care, but she is in the hospital after undergoing surgery.

MINUTES APPROVED

Councilmember Mullen moved that the Council approve the Minutes for the Meetings of the Council for September 25 and 26, 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Mullen, Snell,
Trevino

Noes: None

Abstain: Councilmember Cooke

Absent: Mayor Pro Tem Himmelblau

Councilmember Mullen moved that the Council approve the Minutes of the Meeting of the Council for November 1, 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Mullen, Trevino
Noes: None
Abstain: Councilmembers Cooke, Snell
Absent: Mayor Pro Tem Himmelblau

BOARD AND COMMISSION APPOINTMENTS

Mayor McClellan announced the following Board and Commission appointments will be made November 15, 1979:

Joint Airport Zoning Board - 1
Employee's Retirement System of the City of Austin - 1
On-Going of Goals Assembly Committee - 1
Manpower Advisory Planning Council - 11
MH/MR
Construction Advisory Committee - 3
Urban Transportation Commission - 1
Electric Utility Commission - 3
Hospital Board - 3
Community Development Commission - 1
Human Relations Commission - 7
Commission on the Status of Women - 1
Vending Commission - 1

EASEMENT AGREEMENT

Councilmember Goodman moved that the Council adopt a resolution to execute an Easement Agreement with Travis County to provide access to the Hornsby Bend Wastewater Plant. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

DEDICATION OF RIGHT-OF-WAY AND EASEMENTS

Councilmember Goodman moved that the Council adopt a resolution to approve the dedication of certain city-owned properties for right-of-way and easements as follows:

Right-of-way Dedications

Portions of: West 11th Street
Charlotte Street
South 1st Street and West Riverside Drive
Enfield Road
East 26th Street
Stephen F. Austin Drive

Easements

C. J. Strother Survey (Cascadera Drive Ext.)
Daniel J. Gilbert Survey No. 8
Salem Walk Electric Subsection
Lot 23, Block "B" of Salem Village
Thomas Hawkins Survey

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

LEASE AGREEMENT

Councilmember Goodman moved that the Council adopt a resolution amending the Lease Agreement between the City of Austin, Lessor, and Austin Council for Retarded Children, Lessee, dated October 22, 1966. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

RELEASE OF EASEMENTS

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

A five (5.00) foot Electric and Telephone Easement located on Lots 9 and 10, Block W, Oak Forest Section 4, Amended, 6713/6711 Colina Lane. (Requested by First Texas Savings Association d/b/a Oak Forest Developers)

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

Councilmember Goodman moved that the Council adopt a resolution authorizing the release of the following easement:

A Public Utility Easement located on Lot 2 and a portion of Lot 1, Wedgewood Section 1, 6608 Hill Oaks Drive. (Requested by Jeffrey L. Suggs, owner)

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

Councilmember Goodman moved that the Council adopt a resolution authorizing the release of the following easement:

A seven and one-half (7.50) foot Public Utility Easement and a five (5.00) foot Electric Easement located on Lot 27, Block 22, Las Cimas Section I, 7306 Crystalbrook Drive. (Requested by Earnest R. Nance, owner)

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

CONTRACTS APPROVED

Councilmember Goodman moved that the Council adopt a resolution to approve the following contract:

JOHN R. HUGHES CONSTRUCTION
CORPORATION
Drawer 3400
Austin, Texas

- Capital Improvements Program -
Construction of 6 inch and 8 inch
Wastewater Mains to serve Ullrich
Treatment Plant - \$228,162.00
C.I.P. No. 76/50-09

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

WESTINGHOUSE ELECTRIC SUPPLY COMPANY 9230 Research Boulevard Austin, Texas	- Street Light Anchor Bolts, Electric Utility Department Item 1, 1000 @ \$5.3125 ea. Item 2, 160 @ \$10.6125 ea. Total \$7,010.50
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The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

GENERAL ELECTRIC SUPPLY COMPANY 7521 North Lamar Boulevard Austin, Texas	- 6 & 4 inch Aluminum Tubing, Electric Utility Department Items 1 & 2 - \$73,810.79
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The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

B. G. BOYD CONSTRUCTION 6505 Brownwood Court Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Construction of Electric Conduit System and Streetlight Foundations for Western Hills, Section One - \$55,665.50 C.I.P. No. 80/15-01
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The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

ALLIED CHAIN LINK FENCE COMPANY
8400 Highway 290 E
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction contract for chain
link fence for Lytton Springs
Substation, Holman Substation and
Pilot Knob Substation - \$50,000.00
C.I.P. No. 77/16-05

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

W. K. JENNINGS ELECTRIC, INC.
2210 Maple Avenue
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Martin Park Athletic Field Lighting
Improvements - \$99,866.00
C.I.P. No. 75/86-52

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

LAWLESS & ALFORD, INC.
P. O. Box 1486
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Addition to Rosewood-Zaragosa
Health Clinic - \$553,900.00
C.I.P. No. 72/79-08

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

ITEM DELETED FROM AGENDA

The consideration of a resolution authorizing a five (5) year franchise for non-emergency transfer service was deleted from the agenda.

FAMILY PLANNING PROGRAM

Councilmember Goodman moved that the Council adopt a resolution to submit a grant application to the Department of Health, Education and Welfare for \$111,000 in federal funds for the tenth year of the Family Planning Program. (March 1, 1980 to February 28, 1981.) The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

TEMPORARY STREET CLOSING

Councilmember Goodman moved that the Council adopt a resolution to temporarily close Riverside Drive from Dawson to Bouldin from 11:00 a.m. to 3:30 p.m., November 17, 1979, as requested by Ms. Charlotte Flynn representing "A Capital Celebration/Our Next Generation." The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

TOURISM AND CONVENTIONS

Councilmember Goodman moved that the Council adopt a resolution to enter into a contractual agreement with the Mexican-American Chamber of Commerce of Travis County, Incorporated for promotion of tourism and conventions. (Contract amount \$68,348.00; Period: October 1, 1979 through September 30, 1980) The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

Councilmember Goodman moved that the Council adopt a resolution to enter into a contractual agreement with the Austin Chamber of Commerce for promotion of tourism and conventions. (Contract amount \$275,065.00; Period: October 1, 1979 through September 30, 1980) The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

LOAN APPROVED FROM HISTORIC
REVOLVING FUND

Councilmember Goodman moved that the Council approve a loan, not to exceed \$30,000 to Mr. and Mrs. Sam Carruthers, 1602 East 1st Street, from the Historic Revolving Fund. (Recommended by the Landmark Commission and Austin Redevelopment Authority Board). The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

MODEL ENERGY DISTRICT

Councilmember Goodman moved that the Council adopt a resolution to create a Model Energy Development Demonstration District. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

INPATIENT MEDICAL CARE
FOR FEDERAL PRISONERS

Councilmember Goodman moved that the Council adopt a resolution to enter into a contract with the Federal Correction Institution of the U. S. Department of Justice located in Bastrop, Texas, to provide inpatient services for sentenced Federal prisoners admitted for medical care. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

OCCUPATIONAL TRAINING

Councilmember Goodman moved that the Council adopt a resolution to request authorization for the Texas Education Agency to contract directly with various area schools for the provision of occupational training to be provided to eligible participants. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

COUNCIL MEETING CANCELLED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE CANCELAN OF THE REGULARLY SCHEDULED CITY COUNCIL MEETING OF NOVEMBER 22, 1979 (THANKSGIVING DAY); SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

STREET NAME CHANGE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CHANGING THE NAME OF A STREET FROM TANNEHILL LANE TO HIBBETTS ROAD; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau.

The Mayor announced that the ordinance had been finally passed.

TYPOGRAPHICAL ERROR CORRECTED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CORRECTING ORDINANCE NO. 781109-L (ZONING ORDINANCE) OF THE AUSTIN CITY CODE; PROVIDING FOR THE CORRECTION OF A TYPOGRAPHICAL ERROR THEREIN; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke
Noes: None
Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

OPERATING BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke
Noes: None
Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 51,118 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1108-1202 TREADWELL STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Sue B. McBee, C14-79-170)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 11 AND 12 OF LEWIS HANCOCK TRIANGLE ADDITION, LOCALLY KNOWN AS 4010 MEDICAL PARKWAY, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (K. R. Meyer, Jr., C14-79-181)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 7 AND 8, BLOCK 23, SWISHER ADDITION, LOCALLY KNOWN AS 1608-1610 NICKERSON AVENUE, ALSO BOUNDED BY EAST MILTON, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin Planning Department, C14-79-184)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 6-17 OF BLOCK A, LOTS 5-12 OF BLOCK B, LOTS 3-8 OF BLOCK C, BALCONES PARK NO. 1, LOCALLY KNOWN AS 3400-3410 SPANISH OAK DRIVE, 4500-4505, 4507, 4509 SPANISH OAK TERRACE, 4500-4516, 4518 SPANISH OAK TRAIL, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin Planning Department, C14-79-190)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 7,130 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7718 WOOD HOLLOW DRIVE, ALSO BOUNDED BY SPICEWOOD SPRINGS ROAD, FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Koger Properties, Inc., C14-79-198)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 2,691 SQUARE FOOT TRACT OF LAND OUT OF LOT 4-A, THE JUBY SUBDIVISION, LOCALLY KNOWN AS 7417-7423 NORTH LAMAR, FROM "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Builder's Display of Austin, C14-79-213)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1, OAK VIEW SUBDIVISION, LOCALLY KNOWN AS 10400 RESEARCH BOULEVARD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (N. B. C. Associates, C-14-79-196)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 31,080 SQUARE FOOT TRACT OF LAND; AND,

TRACT 2: A 13,200 SQUARE FOOT TRACT OF LAND;

ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 11042-11104 HIGHWAY 183 AND 11019-11039 HIGHWAY 183 (OLD BURNET ROAD), FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Francis Hospital, Inc., C14-79-209)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 4.56 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5004-4900 DUVAL ROAD, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (George C. Joseph, Sr., C14-79-192)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

NORTH 150 FEET OF A 110' x 396' TRACT OUT OF OUTLOT 1, DIV. Z, ORIGINAL CITY, LOCALLY KNOWN AS 1501-1503 WEST 6TH STREET; FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Helena Hardcastle, C14-79-204)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 2.8454 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8132 NORTH LAMAR BOULEVARD, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Abed Goushe, C14-79-183)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.345 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 8000-8016 I.H. 35 AND U.S. 183, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS, COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Dan Covert and John Joseph, C14-79-148)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1, GREENWAY PLAZA, SECTION TWO, LOCALLY KNOWN AS 8717-8831 I.H. 35, 800-956 PARK PLAZA AND 8716-8816 NORTH PLAZA, FROM "GR" GENERAL RETAIL, FIFTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Cullen Center Bank & Trust, C14-79-063)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Ordinance Passed - Emergency Basis

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 24, 25 AND 26, BLOCK 33, HYDE PARK ADDITION NO. 1, LOCALLY KNOWN AS 4006 SPEEDWAY, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Shettles Memorial United Methodist Church, C14-79-211)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance on an emergency basis. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

AGENDA ITEM POSTPONED

Councilmember Mullen moved that the Council vote to bring back November 15, 1979, consideration of the award of a non-emergency transfer franchise. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Himmelblau

PARKS AND RECREATION BOARD REPORT
ALCOHOLIC BEVERAGES IN PARKS

Mr. Leonard Ehrler, Director of Parks and Recreation, presented the following report on the Board's request for an ordinance to amend Chapter 24 of the Austin City Code of 1967 providing for a new Section 24-20, regulating the possession, consumption and sale of alcoholic beverages in parks and playgrounds:

"We've had visits and delegations of various neighborhoods that have asked that there be some attention given to the control of the consumption and use of alcohol of some areas of our parks and public grounds. Those specific areas being facilities that have to do with children, organized programs, etc. With their urging, the staff's investigation and advice from the Legal Department, we submit to you on behalf of the Parks and Recreation Board and the Parks and Recreation staff a proposition in the form of an amendment to the ordinance that would prohibit the use and sale of alcohol on specific areas of public park grounds or public places. It is really more of a preventive measure rather than one which is in response. Our ordinance now allows us both rangers and police and any law enforcement officer to apprehend, detain or cite someone who is in violation by virtue of being intoxicated or whatever. This also has the flexibility to add to and subtract from some of the areas by annual review by the Board and the staff and recommend to you any changes. And also, it has the flexibility of those areas that have been used by citizen groups where there is alcohol served to allow them to continue or to be given permission by the Parks and Recreation administrative office."

Mayor McClellan suggested it would be appropriate to put this on the next agenda in ordinance form.

Motion

Councilmember Goodman moved that the Council bring back in ordinance form next week the request of the Parks and Recreation Board to amend Chapter 24 of Austin City Code of 1967 providing for a new Section 24-20 regulating the possession, consumption and sale of alcoholic beverages in parks and playgrounds. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor McClellan, Councilmember Goodman

Noes: None

Absent: Mayor Pro Tem Himmelblau

Not in Council Chamber when roll was called: Councilmembers Trevino, Cooke

LOWERING OF LAKE AUSTIN

The Parks and Recreation Board submitted a request that a policy of lowering Lake Austin on a biennial basis of even numbered years, starting in January 1980, and that the City pay the costs involved. Mr. Ehrler said this would be done with LCRA's permission. He asked Mr. R. L. Hancock, Director of Electric Utility, to speak on behalf of his department's response and the response of LCRA to the proposal.

Mr. Hancock reported as follows: "In the past the Authority has been very cooperative at least to the extent they could with respect to the lowering of the lake in the past. They expressed a desire to maintain that posture and indicated there are several factors that are beyond their control. One is water management...how much water is behind in the dams upstream and the other area which is very difficult for them to control is the requirement in their system of hydro-electric generation. If they are required to release water while the lake is down or if they are required to generate energy from hydro facilities while the lake is down, it would create a significant financial burden on Austin's part and their response to the proposal was simply that they want to be cooperative, they understand what the problem is, and know what needs addressing, but they would like to have a little latitude with respect to the window through which they can execute the lowering. In the event the water level is too high, they want the opportunity to defer or delay the lowering. LCRA expressed they cannot control those factors as such and wants enough latitude so we can respond to those rather than having a hard and fast date."

Mayor McClellan asked if someone could address the flexibility issue. MR. DUDLEY FOWLER, an attorney and resident of the area, said it would be advisable to have the lowering at a time when there is lots of frost because the lake bottom does not dry out and moss stays alive if there is warmth, but if the lake bottom is exposed during heavy frost it kills it down. In his opinion as long as the lowering is in the time limits of the cold months of January and February, "we will accomplish what we are trying to do.."

Mr. Ehrler said that the weed control, by this method, lasts about 18-24 months. MR. BILL NALLE, Parks and Recreation Board, said the biennial lowering will be adequate if they hit the cold weather to do the job.

Motion

Councilmember Trevino moved that the Council vote to bring back a resolution concerning the biennial lowering of Lake Austin. The motion was seconded by Councilmember Goodman.

Councilmember Mullen said he thought the period of time that the resolution would be in force should be limited to four years because otherwise it gets lost in the budget and people forget it is there. He asked that this be included in the motion.

Roll Call on Motion

Roll call on Councilmember Trevino's motion, Councilmember Goodman's second to have a resolution brought back concerning the biennial lowering of Lake Austin, with a four-year limitation, showed the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Goodman

Noes: None

Absent: Mayor Pro Tem Himmelblau

Not in Council Chamber when roll was called: Councilmember Cooke

SIGN COMMITTEE TASK FORCE REPORT

MR. BOB MILLER, Sign Committee Task Force, presented the following report on recommendations for scenic overlook areas applying to the west side of IH 35 from 1st Street to 9th Street and from 36th Street to 15th Street:

"The Sign Committee Task Force is submitting to the City Council for their review and assessment, the following criteria for establishing Scenic Overlook (S.O.) areas that apply to the West side of IH 35, from 36th Street to 15th Street and from 1st Street to 9th Street, respectively:

1. No off-premise advertising within 200 feet of the main traveled way shall exceed first height and area (35 feet).

On IH 35 between 36th Street and 15th Street no pole sign, sky sign, or combination of pole and sky signs or other freestanding on-premise outdoor advertising devices higher than 35 feet and located within 200 feet of the main traveled way of IH 35 shall exceed one square foot of face per linear foot of frontage on IH 35 of the property on which the signs are located. Section 3-18(e) shall be used to determine square footage.

2. No off-premise advertising within 200 feet of the main traveled way shall exceed the lower of the permitted height and area or 535 feet above mean sea level.

On IH 35 between 1st Street and 9th Street no pole sign, sky sign, or combination of pole and sky signs or other free standing on-premise outdoor advertising devices higher than 535 feet above mean sea level and located within 200 feet of the main traveled way on IH 35 shall exceed one square foot of face per linear foot of frontage on IH 35 property on which the signs are located or if not located on IH 35 frontage, the front footage of the main street on which the business faces. Section 3-18(e) shall be used to determine square footage.

It should be pointed out that although advanced coordination outside this Committee has not taken place, this Task Force is asking that the Council assess the fundamental merits of such a proposal prior to further development and materialization."

Councilmember Snell asked why this cannot apply to the east side as well as the west side and be uniform. Mr. Miller stated the east side does not have the scenic view of the Capitol which they are trying to protect. Discussion ensued concerning the sign policy for both sides. The Mayor said she thought this recommendation should go to the Planning Commission and come back to Council in ordinance form. Councilmember Goodman pointed out that the east side does not have the view of the Capitol and the City but he does not think it should be cluttered with signs. Councilmember Mullen said he wants it made clear that the east side be considered only..there is no understanding it will be included.

Motion

Councilmember Goodman moved that the Council send the recommendation of the Sign Committee to the Planning Commission and request the Planning Commission to consider the recommendation as soon as possible and that they also consider the east side. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Mullen
Noes: None
Absent: Mayor Pro Tem Himmelblau

TAYLOR JAYCEES TO USE COLISEUM

Councilmember Cooke moved that the Council approve the request of David Schmidt, Committee Chairman, Taylor Jaycees, to use the City Coliseum on March 1 and 2, 1980, for the 8th Annual National Rattlesnake Sacking Championships. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Mullen, Snell
Noes: None
Absent: Mayor Pro Tem Himmelblau

Councilmember Cooke said he wanted it in the record that the City of Austin is not liable for anyone who is bitten by a snake. Mr. Albert De La Rosa, Assistant City Attorney, said the contract could be drafted so Austin is blameless. Mr. Davidson pointed out that under the contract, the Taylor Jaycees assume liability for injuries and carry their own insurance.

DISCUSSION OF AIRPORT

MR. HOWARD M. SIMMONS appeared before Council to request continued phased expansion of the Austin Airport in lieu of a new airport. He said we are a commuter airport City and cannot compete with Fort Worth and Dallas. He passed out plans of his idea of the manner in which the present airport can expand and said that we do not know the future of Bergstrom and there may still be a possibility of using facilities parallel to theirs.

Mayor McClellan said she appreciates Mr. Simmons' summary and ideas and said she will be glad to request a letter on safety and airport option from the air traffic controllers. She asked Mr. Davidson to help her with this. Mr. Simmons had pointed out that they are the most knowledgeable of conditions at the airport. Mayor McClellan reiterated that a work session is scheduled by the Council for Tuesday, November 13 and they will look at the current airport, what can be done, how long it will carry Austin into the future, and again look at Bergstrom. She asked Mr. Davidson to take all of Mr. Simmons' questions into consideration. Mr. Simmons said the air controllers are the real pro's on safety and if Council receives individual letters from them, they will get valuable information concerning solving of the safety problem with Bergstrom.

CITY POLICY DISCUSSED

MR. ART BROWN appeared before Council to discuss City policy for all personnel. He called himself a community leader and considers himself an expert after working for the community in the City of Austin. He discussed his concern with the Police Department and said it is a fine department and is not here to condemn them but is concerned about the leadership. He said Chief of Police Dyson should feel personal concern about the actions of all police officers. Mr. Brown said he planned to request an ordinance be drawn up requiring all City employees to be residents of the City of Austin. The request will come before Council in about three weeks.

LAW AND ORDER DISCUSSED

REVEREND GROVER L. NEAL appeared before Council to discuss enforcement of law and order by City Police Department. He introduced Reverend J. R. Williams who presented their communication to Council in the form of a petition expressing their support and concern of the enforcement of law and order in the community by the Austin Police Department. The petition recognizes the need for and supports the Police Department, but does not condone police brutality and believes the enforcement of law and order in their community deviates from acceptable standards as set forth by the City of Austin. "Therefore, we who represent the total community, as opposed to the radical elements, hereby ask your leadership in eliminating the dual standard of law enforcement in our great City of Austin. We pledge our full support in working with you in providing freedom, liberty, and justice for all of the citizens of Austin."

COWBOYS, COPS AND KIDS

MR. MULKEY OWENS, representing the Kiwanis Clubs of Austin, appeared before Council to explain the Major Emphasis Program of Kiwanis "Cowboys, Cops and Kids," in cooperation with the Austin Police Department. The program involves the passing out of Dallas Cowboy player cards to the youth of Austin by the police officers. A new card will be issued each week. Mayor McClellan expressed her appreciation of their efforts and felt this will be a positive effort to correct the issues that have been addressed today by the previous two speakers. Councilmember Snell pointed out that he is one of the newest Kiwanis members and is proud to be a part of this program.

Motion

Councilmember Trevino moved that the Council support the Kiwanis Clubs of Austin major emphasis program on "Cowboys, Cops and Kids" in cooperation with the Austin Police Department. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Mullen, Snell, Trevino
Noes: None
Absent: Mayor Pro Tem Himmelblau
Not in Council Chamber when roll was called: Councilmember Goodman

REPORT ON PLANNING OF POLICE COMPLEX

Chief Dyson, Police Department, presented the City Manager's report on the Planning of the Police Complex. He had architectural drawings of the police complex expansion and told Council that the proposed headquarters building represents the first substantial expansion of the Police Department Headquarters physical plant in nearly a quarter of a century. He said the design will be sensitively handled to successfully serve as an interface between the vehicular harshness of IH 35 to the east to the tree-lined pedestrian parkway soon to be created along Waller Creek at the west boundary of the site. Chief Dyson went on to describe the architecture of the Headquarters Building and the Training Center. He said solar and other energy conservation ideas will be used to the maximum for energy.

MR. BILL SCOTT from the architecture firm of Holt, Fatter and Scott, appeared before Council and showed more plans and discussed further the expansion of the police complex.

Mayor McClellan commented that the plans look exciting and are a great asset to the design of the central City. Mr. Davidson said no action is required by Council today. He just wanted Council and the public to see what is being done. Councilmember Cooke expressed his approval of the design.

HUMAN SERVICES PURCHASES
OF SERVICE CONTRACTS

Council had before it for consideration a resolution to authorize the FY 1979-80 Human Services Purchase of Service Contracts, beginning October 11, 1979. The Legal Aid Society requested that their contract for \$42,112 be pulled off the agenda.

Motion

Councilmember Trevino moved that the Council adopt a resolution to authorize the entrance into FY 1979-1980 Human Services Purchase of Service Contracts, beginning October 1, 1979 as follows:

Austin Area Urban League	\$ 28,494
Austin Rape Crisis Center	21,780
Austin Child Guidance Center	62,308
Austin Rehabilitation Center	18,000
Austin Tenants' Council	22,612
Capital Area Rehabilitation Center	36,664
Austin Community Nursery Schools	29,276
Caritas	51,870
Center for Battered Women	32,428
Child, Inc.	259,121
Development Assistance for Rehabilitation	57,200
Middle Earth Unlimited	17,325
People's Community Clinic	32,944
United Action for the Elderly	43,721
United Cerebral Palsy	20,094
Youth Employment Service	47,221
Services for the Elderly	54,936
Community Bound	5,500

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Trevino,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Himmelblau

REPROGRAMMING OF CDBG FUNDS

The Council had before it for consideration approval of the reprogramming of \$636,394 of available Housing and Community Development Block Grant (CDBG) funds in the following manner:

\$318,197	Montopolis Neighborhood Center
318,197	Rosewood Neighborhood Center

Mayor McClellan referred to the following memorandum distributed by Councilmembers Snell, Trevino and Goodman:

"The Rosewood and Montopolis Neighborhood Centers can provide needed community interaction to foster neighborhood priorities, and we continue our firm support toward the completion of each project. While recognizing the needs and importance of the neighborhood centers, we strongly feel that the highest priority for the use of CDBG funds should be housing. In order to serve both goals, we would like to formally move the allocation of \$214,000.00 toward the design and engineering phases of the Rosewood and Montopolis Neighborhood Centers, which is all that can be utilized this fiscal year. It is our intent that the remainder of these monies be directed to the Austin Redevelopment Authority to encourage the Authority to increase their current goal of housing rehabilitation. However, should the Austin Redevelopment Authority not be able to expend the funds in the time specified for their current program, it is our intent that this money be placed into contingency to be expended on worthwhile project, such as the neighborhood centers."

Councilmember Trevino said, "I would like to offer a minor modification to the memo passed to Council. I think it is understood by all of us that we're earmarking some monies for the design and engineering of the Rosewood and Montopolis Centers and the rest of the money to be put into contingency to utilize for housing. We have, in this memo, referred to the Austin Redevelopment Authority, but I think we also want to leave some flexibility in the event Tom (Knickerbocker) at a later date is not able to utilize all the monies, or in the event we have another entity that may be interested in doing some housing rehab that we have the flexibility to provide some monies."

BILL MILLER, Chairman, Montopolis Advisory Board, said the people of Montopolis have been denied a lot of services that are offered in other areas and which is housing. He strongly recommends on behalf of the Montopolis Advisory Board and the people within the community, that he wants a strong commitment from Council to try to give the people some service that they do not already have.

Councilmember Trevino said, "I think I can speak for this Council in saying you do have a commitment from this Council to provide the facilities and services for Montopolis. We are advised that for the neighborhood center, in a period of a year, we will not be able to do much more than engineering and design work on the center. We have money set aside through another program for land acquisition. So even if we kept all of this money we couldn't do very much with it except the two things I outlined. An important factor too is that some of us are seriously considering that when we do have a bond issue that we may want to ask the voters to come up with money for the physical construction of neighborhood centers. Therefore, freeing up the Federal money to do things we cannot do with bond money."

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1979-1984 CAPITAL IMPROVEMENT PROGRAM BUDGET AND MAKING APPROPRIATIONS FOR EACH PROJECT AND ACCOUNT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

The distribtuion of funds is as follows:

\$107,000 for design and engineering Montopolis Neighborhood Center.

\$107,000 for design and engineering Rosewood Neighborhood Center.

LIBRARY FEES

Council had before it an ordinance to establish fees for library services: a \$12.00 non-resident user fee, a \$2.00 charge for a replacement card, and a 15 cent charge for reserving a book.

There was a question concerning the 15 cent charge for reserving a book. Mr. Holt, Director of the Library, said that when a reserve card is filled out and handed across the desk there will be a 15 cent charge. He said they will need some clarification as to whether or not there will be a 15 cent charge for a phone request to a branch library to have them determine whether or not they have certain book on their shelves.

Mayor McClellan stated: "For the record, have we approved all other fees in ordinance form?" Mr. Albert De La Rosa said he believes this is the last one which needs Council approval. The Mayor continued, "Maybe we ought to go on and approve what we have before us..the non-resident user fee, the replacement card fee, and clearly the 15 cent charge if you are reserving a book that's out and not in another branch library, with the request that Mr. Holt come back to us with what our options are on the recommendations. ...I don't want to create something that's more of a nuisance to administer than not."

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 1979-1980 BY AUTHORIZING CERTAIN LIBRARY FEES REFLECTED IN THE OPERATING BUDGET; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective October 1, 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

INTERIM REPORT FOR WATER AND WASTEWATER CIP

Mr. Davidson, City Manager, presented the Interim Report for Water and Wastewater Capital Improvements Program as follows: "I am pointing out how we can fund the most urgent water and wastewater projects between now and February, when I would recommend the Council consider having a bond election. We are not recommending that we undertake any of the major projects, but that we be in a position to respond to needs and desires and demands of our customers during this interim period in the manner that I outlined in this communication. I don't have any specific appropriation to request, or anything else. I wanted to lay this format before the Council and give you an opportunity to question it or to make any other directions available to me that you might care to make."

Mayor McClellan said, "I am scheduling for next week's agenda not only what would go on a bond issue, but possible times for a bond issue."

CURRENT STATUS - PUBLIC WORKS CIP

Mr. John German, Director of Public Works, presented a report on the current status of the Public Works CIP (Capital Improvements Program) as follows: "This report (Council had received copies; also copy on file in City Clerk's office) is intended to bring you up to date on the status of each of the various public works projects approved in the FY 78-79 CIP. The report is in your agenda material. It is organized in a manner that you can use your approved CIP book and follow down serial numbers one at a time and see what the project is and the progress being made. There are some projects included in the list that are not actually in the book but they are in there for various reasons. Some are old and being carried over and some we are participating in with developers." Mr. German then referred to specific areas for Council to look at in the report. He spoke of the enormity of projects and said they have established a better reporting procedure in the Public Works office with a master control board where they can project what is going on on any particular project and keep up to date as much as possible on a daily basis. He invited Council to look at the project status board whenever they have a question on any particular project.

Councilmember Trevino asked what the estimated date of completion on the Shady Lane Bridge will be. Mr. German said they are estimating a bid date of May, 1980, with probably another six months construction. He said the main hold up has been waiting for the Corps of Engineers to give them a flood level elevation so they know where to set the height of the bridge.

CITY MANAGER REPORT PULLED

Mr. Davidson announced that his report on the Citizen Request by Mr. Robert T. Shorts will be on the November 15, 1979 Agenda.

MONTHLY STATUS REPORT ON FAYETTE POWER PROJECT

Mr. R. L. Hancock, Director, Electric Utility, presented the following Monthly Status Report on the Fayette Power Project:

"Very favorable construction weather allowed good progress on construction. Project reports indicate that construction is on schedule or ahead of schedule in all areas for Unit 2. Project personnel see no problem with meeting the schedule date of April, 1980 for turbine roll and commercial operation for Unit 2 in June 1980.

Unit 2 is reported to be 65% complete. Major areas of construction activity during the month included power pipe erection, precipitator erection, oil erection, and electrical installations.

Unit No. 1 generated 126,535,000 kilowatt hours for Austin systems during the month of September. After about a 3-week shutdown, Unit 1 was returned to to service September 3 and except for 2 days shutdown on the weekend of the 15th and 16th, Unit 1 was on line during the entire month of September.

A total of 133,198 tons of coal was burned during the month of September. Compared to this, a total of 120,765 tons of coal was received from the Decker Mine during the month of September. This indicates that under present operating conditions more coal is being burned than received.

The turnaround time of train delivery is still a major concern to both participants in the project. A meeting was held two weeks ago with representatives of Burlington Northern Railroad and Missouri Kansas Texas Railroad. The railroads stated that they are making efforts to improve turnaround time, that additional trackage for double track is being placed on the Gillette to Alliance Line to allow for better train movement in that congested area. In addition, new trackage is almost complete from Wyoming. This will divert some of the traffic from the Gillette to Alliance Line and according to Burlington Northern, should provide considerable improvement in unit train turnaround time.

In addition to these improvements, the project has just recently placed in service a fifth train set which unloaded it's first trainload of coal at the project today. A sixth train is scheduled to be placed in service during the first week of November. These two trains were purchased for the movement of coal from the Arco mine to the project but will be used for the remainder of the year for movement of Decker coal and will be transferred to the Arco coal movement in January. These improvements will provide relief in the receipt of coal to the project immediately but long-term improvements must be continually monitored to insure that the project has sufficient coal for fuel in the long-term.

The average cost of coal for the third quarter (July, August, September, 1979) was \$17.72/ton. The cost of Rail Transportation effective October 1, 1979 is \$18.49/ton.

Lower Colorado River Authority is proceeding with the construction of the 345 KV transmission circuit that is jointly owned with Austin from the Fayette Project to Lytton Substation. The City is proceeding with the construction of Lytton Substation and Holman Substation. These projects are scheduled for completion to coincide with the commercial operating date of Unit 2."

MONTHLY STATUS REPORT ON SOUTH TEXAS PROJECT

Mr. R. L. Hancock presented the following monthly status report on the South Texas Project:

"The overall status of the South Texas Project through the month of September, 1979, is as follows:

Engineering 63% Complete

Construction	<u>Unit 1</u>	<u>Unit 2</u>
	48.3% complete	15% complete

Schedule Fuel Load Unit #1 September 1983

Schedule Fuel Load Unit #2 September 1985

The major objective currently the project is to complete the transition to baseline data operation and to begin to perform to the baseline. This transition, which is being accomplished by some organization changes to the project, is nearly complete. Performance results in the next several months will be important in determining the ability of the project to perform to the baseline. New and improved project management and performance reporting is providing important quantitative information. Brown and Root and Houston Lighting and Power personnel feel that the slight deviation from schedule (1.1%) will be restored with full transition to the baseline schedule and revised project management controls.

Two major milestones were completed ahead of the baseline schedule. The setting of the nuclear steam supply system (reactor vessel and 4 steam generators) was completed in August 1979, month ahead of the baseline schedule. Installation of cable tray supports for Unit 1 was stated ahead of the August 1979 baseline schedule start date. Another major milestone, installation of primary plant process large bore piping, was started on schedule in September, 1979.

In addition, other major achievements were completion of the reservoir embankment, completion of the soil cement placement in the reservoir, and completion of the soil cement in the essential cooling water pond.

Brown & Root Engineering was audited by inspectors from the NRC during August, 1979. This was one of the regularly scheduled audits which are done by the NRC approximately every three months. The audit reviewed the document control system and the control of design input sources. The audit identified one deviation from requirements and closed as satisfactorily resolved, three previously identified deviations. The deviation identified was that several system design descriptions contained references to design input sources that were not listed in accordance with the procedures. The input source could be traced to its origin but was not documented according to procedures.

An analysis of isolation valve cubicle walls and pipe rupture restraint designs done by Teledyne indicates a possibility that some walls and restraint designs may require some redesign. Based on Teledyne's analysis, the design of the main steamlines in the turbine-generator building are being reviewed. This work was initiated based on joint Brown & Root and Houston Lighting & Power recognition of a need for a more vigorous dynamic analysis. Teledyne, who specializes in this type of analysis, was chosen for this work because of their expertise in this area.

The NRC requested the project to perform another soil-structure interaction seismic analysis based on a different method than had been used. The NRC has accepted the criteria and procedures proposed by the project for this analysis but reserved the right to review this matter further based on results of the analysis. The project expects to have the analysis completed in early 1980.

The quality assurance program has identified a number of concerns with embeds provided by one of the suppliers. A stop-work order has been issued to the supplier until an investigation can be made and a resolution of the concerns is implemented.

The progress to date for various activities of the project follow:

Unit 1 and 2 Installed Quantities

<u>Activity</u>	<u>Percent Complete</u>
Concrete	66
Large Bore Pipe	23
Small Bore Pipe	1
Cable Tray	3
Exposed Metal Conduit	4
HVAC Ductline	16
Power and Control Cable	1
Instrumentation	1

At the end of September, 1979 there were approximately 3,500 employees on the job site.

A new auditor for the project, Coopers & Lybrand, has been hired and has begun work on a new audit of the project.

An engineering firm currently being considered for performing an independent, outside evaluation of the baseline cost and schedule estimate is currently spending time on the project in an effort to acquire adequate knowledge of the project to define a scope of work for the evaluation.

As of the end of September, 1979, Austin incurred cost for its 16% share of the project was approximately \$173,544,231.

RECESS

The Council recessed its meeting at 12:00 Noon, and resumed the Council meeting at 2:20 P.M.

TAX APPEALS HEARING

Mayor McClellan opened the hearing scheduled for 2:00 p.m. to hear tax appeals. The Council then publicly heard the following tax appeal:

Property	1979 Appraised Value 100%	1979 School Taxable Value 75%	1979 Value by Board of Equalization 75%
Land	\$16,512	\$12,380	\$12,380
Imps.	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
	\$16,512	\$12,380	\$12,380

Ownership and Description:

SOUTHWEST DEVELOPERS, INC.
By: C. Q. Davis, Jr.

Parcel No. 1-0934-0101
Lt. 12. B1 2
Lost Creek Estates Phase I

Mr. Davis' appeal was on 331.97 acres (90 parcels) on which plats have been filed. THE AMOUNT SHOWN ABOVE IS FOR ONE PARCEL.

Address of Property:
8100 Hickory Creek Drive
(represents 90 parcels on 9 maps)

MR. C. Q. DAVIS, JR., representing Southwest Developers, Inc., appeared before the Council and stated that the subject property was west of Loop 360, south of RM 2244 and north of Highway 71. The property was about 2 miles from water and 1-1/2 miles from pavement. It was purchased in 1973 for \$1,800 per acre. A plat was filed last year with the County, and Mr. Davis contended that the filing of a plat did not necessarily constitute an increase in value of the property.

MR. BOB BRENT, a licensed broker with Brent-Middlebrook Properties, stated that the subject tract contained approximately 1467 acres. He presented the following comparables:

1. 200-acre Lively Tract sold May 1, 1979 at \$2,500 per acre.
2. 252.29-acre tract sold February 23, 1979 at \$1,875 per acre.
3. 1028.249-acre Bohls Tract sold February 6, 1979 at \$1,500 per acre.

The first comparable had a water line to it and the third comparable had about a mile of lake frontage.

Mr. Randy Turner, Deputy Tax Assessor-Collector, stated that the subject property was a subdivision on the assessment date of January 1, 1979, which he felt was the most significant point to bring out. Streets had been cut and lots staked. The fact that the streets were not paved was taken into account

in the assessment. Research indicated that the property might be worth \$5,000 to \$6,000 per acre without water. With water, which Mr. Turner thought was obtainable, the property would be worth \$10,000 to \$12,000 per acre. The property was valued as an unfinished subdivision, and Mr. Turner felt that it was conservatively valued at \$4,000 per acre. Weldon Nabors, City Land Appraiser, discussed land appraisal procedures.

Motion

Councilmember Goodman moved that the Council uphold the recommendation of the Board of Equalization. Councilmember Trevino seconded the motion.

After further discussion as to the validity of comparables presented in the area, the Council upheld the Board of Equalization as follows:

Ownership and Description	Property	1979 Value by Board of Equalization 75%	Council Action
SOUTHWEST DEVELOPERS, INC. By C. Q. Davis, Jr.	Land Imps.	\$12,380 -0-	\$12,380 -0-
	Total	\$12,380	\$12,380

Parcel No. 1-0934-0101
Lot 12, Block 2
Lost Creek Estates Phase I

Address of Property:
8100 Hickory Creek Drive
(Represents 90 parcels on 9 maps)

Roll call on Councilmember Goodman's motion, Councilmember Trevino's second, showed the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman
Noes: None
Absent: Mayor Pro Tem Himmelblau

CONTINUED PUBLIC HEARING - SEPTIC TANK ORDINANCE

Mayor McClellan opened the continued public hearing on amending the Septic Tank Ordinance, which was scheduled for 2:30 p.m. The amendments proposed are:

- a. Allow the use of:
 - (1) evapotranspiration systems
 - (2) collective evapotranspiration systems
 - (3) aerobic systems
 - (4) innovative systems
- b. Delete provisions requiring public notice and hearing prior to amendment of the Septic Tank Ordinance.

DR. ALBERT G. RANDALL, Director, Austin-Travis County Health Department, presented the following report on Septic Tank Regulation Revision for Evapotranspiration Systems, Collective Systems and Innovative Systems:

As the area around Austin grows so does the need to provide a safe and reliable sewage disposal method. Most of the land surrounding Austin which meets current sewage disposal regulations has been developed. Therefore, we have been asked to review other reliable methods of sewage disposal which may be added to the current regulations for development of property. Currently, a satisfactory method of sewage disposal is usually the factor that determines if property can or cannot be developed economically. With the Lower Colorado River Authority's (LCRA) experience with four-hundred evapotranspiration systems (E-T) in their jurisdiction in the Highland Lakes area and the success they have had, we believe the E-T system can be used as an alternate method of sewage disposal. Of these four-hundred systems approximately 65% are used year-round with only 3% failures, all of which were repairable.

Supported by experience we believe we can add the E-T system as a method of individual sewage disposal in those areas where the soils have absorption rates that are too slow, or too fast, or where the underground water is too near the surface for a conventional septic tank effluent by evaporation into the atmosphere and transpiration by plants. (see attachments c and d).

Construction is similar to a soil absorption system except the disposal field area is much larger and is divided into two beds which are used alternately. The E-T beds must be constructed with an impervious liner, where percolation rates are too high and the effluent would be released into the substrata with too little or no filtration, or where the slope of the ground is too steep. The beds are deeper than minimum State standard and with additional size they can have more storage capacity during rainy weather.

The E-T system does have its limitations, however. The most obvious of which is the cost. Since the bed size is larger than the absorption beds and they often must be lined with concrete or a heavy plastic sheeting, and require considerable hand labor, the cost is \$10,000 or above. If they are built in an inaccessible area such as on a sharp slope, the cost can be much higher. There are also the health and environmental questions which still have not been completely answered.

Most of the published literature indicates E-T systems will not work year-round in Central Texas because the rainfall rate generally exceeds the evaporation rate for at least three months of the year. On the other hand, the Texas Department of Health (TDH) and the LCRA have published regulations which allow E-T systems and they claim they are operating satisfactorily in the Austin area. There is also a concern about the homeowner who is responsible for switching the beds periodically to alternate the load. Failure to perform this duty can cause the bed to overflow. Because of this possibility, we recommend an automatic switching device to alternate the beds.

The proposed ordinance revision should cover the approval of E-T systems for individual lot use in new subdivisions, the approval of collective sewage disposal systems, and the approval of innovative sewage disposal systems. The following is the staff recommendation agreed on by the Austin-Travis County Health Department (ATCHD), Environmental Resource Management, Engineering and Planning Departments:

Since the Health Department is the regulatory agency for this ordinance, we feel very strongly about our recommendations and hope that the appropriate weight will be given to them by the City Council when it adopts the ordinance amendment.

To minimize the potential impact to public health and the environment subdivisions in which all or part of the lots cannot be approved for use with conventional absorption systems may be approved for development subject to the following conditions:

1. The average lot size must be one acre or greater.
2. The minimum lot size must be 3/4 acre.
3. Each lot must contain at least 5,000 square feet of area with less than 25% slope, which must be available for use as a part of the E-T system.
4. No lot may be resubdivided until a sanitary sewer is available.
5. All lots will be restricted to single-family residences. The commercial systems are covered under the current regulation.
6. E-T systems must be installed outside of the 25-year flood plain.
7. The Texas Department of Health Construction Standards for Private Sewage Facilities adopted November 30, 1977, as modified by the Lower Colorado River Authority Supplemental Standards shall apply.
8. A mean pan evaporation rate of 70.0 inches per year is to be used in calculating evaporation bed size.
9. Specific types of liners which can be utilized are reinforced concrete, reinforced concrete block which has been internally sealed, or a plastic type impervious liner (Hypalon, PVC or equivalent) which is backed with a 12-inch layer of impervious clay.
10. An automatic switching device must be provided to periodically alternate the beds.

Collective sewage disposal systems which are not permitted by the Texas Department of Water Resources are reviewed and approved by TDH. The collective system plans should be submitted to both the ATCHD and TDH so a staff review can be conducted and the ATCHD recommendations forwarded to TDH for consideration in their review and approval. In discussions with TDH staff, this procedure has been established and followed on the previously submitted collective systems.

To aid in the development of new and innovative designed sewage disposal systems, the ATCHD will consider the following elements to insure the protection of public health and the environment in our review of the proposed design:

1. The use of an aerobic or other innovative system should be encouraged as outlined in rule .002(b)(2) of the Construction Standards of Private Sewage Facilities of the Texas State Health Department.
2. The submitted innovative design be drawn to scale relative to site and dwelling in question and that a registered engineer's seal be attached to the innovative design, drawing and specification.
3. On completion of the innovative design installation, a registered engineer's certification be required indicating that the installation has been inspected and installed per the design.
4. At some future date as deemed prudent by the Health Officer, based on experience and knowledge, a specific innovative design may then be judged acceptable and not require an engineer's seal and certification of the installation.
5. Short form subdivisions will be reviewed for development with innovative systems if the building and sewage disposal system plans are submitted for each lot in the short form subdivision."

MR. KEN ZIMMERMAN, Austin Association of Builders, told Council that E-T systems should be encouraged, but that Austin's requirements are more stringent than those imposed by the State. He requested an opportunity to pull the two proposals together.

HOYLE OSBORNE, planning consultant, appeared before Council to state that the basic thrust of the Health Department is good, and feels the amendments as proposed are good, but questions having only single-family residential subdivisions.

KEN MANNING, representing the Sierra Club, said he is pleased to see realistic alternatives where the sewer lines and septic tanks should be put. He recommended that 1/2 of the bed be out of the 100-year flood plain.

ED WENDLER, representing Milburn Builders, Nash Phillips-Copus and Lumbermen's Investment, said the process requires give and take but feels the amendments are something everyone can live with and encouraged Council to pass the ordinance amendments. He said they can adopt it today, and then begin next week to make it better.

TED EDBURG appeared before Council and said he is a little confused with the correlation of the amendments, but advised one dwelling per unit per acre, and said there will be a need for 12 inches of clay all around the proposed bed.

Councilmember Mullen thanked everyone who had worked on the ordinance and said he wanted to make three motions. They are as follows:

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1967; PROVIDING AN AMENDMENT TO THE REGULATIONS FOR INDIVIDUAL SEPTIC TANK SYSTEMS AND SUBDIVISION REVIEW OF SEPTIC TANK SYSTEM DEVELOPMENT; DELETING THE REQUIREMENT OF PUBLIC NOTICE AND HEARING PRIOR TO ANY AMENDMENT TO EITHER THE REGULATIONS FOR INDIVIDUAL SEPTIC TANK SYSTEMS OR THE REGULATIONS FOR SEPTIC TANK SYSTEMS IN SUBDIVISIONS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY.

Councilmember Mullen moved that the Council close the public hearing, waive the requirements for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Mullen

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been finally passed.

Motion

Councilmember Mullen moved that the Council pass through FIRST READING ONLY the draft ordinance of amendments to the Septic Tank Ordinance, with the following changes:

Part 1. D. Evapotranspiration Systems

6.(b) Liners shall be required and may be of...(substitute "may" for "shall")

Part 2. E. Collective ET Systems

The Austin Travis County Health Department would issue a permit to any public collective ET system not issued a permit by the Texas Department of Water Resources and would require the following prior to issuance of a permit: (this is an addition and changes the numerical order)

- (1) The employment and use of a certified wastewater operator.
- (2) Bonding with funding available to assure proper operation.
- (3) Self-reporting system on a monthly basis with a quarterly inspection by the Austin-Travis County Health Department.

Part 3. F. Aerobic Systems

2. Aerobic Systems utilizing ET beds (delete "including those aerobic systems")

10.(b) Liners shall be required and may be of...(substitute "may" for "shall")

12. Delete

Part 4. G. Innovative Systems

Place entire section as written under single-lot uses, not proposed subdivisions.

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Mullen, Snell

Noes: None

Absent: Mayor Pro Tem Himmelblau

The Mayor announced that the draft ordinance had been passed through FIRST READING ONLY.

Motion

Councilmember Mullen moved that the Council bring back for consideration on the November 15, 1979 Agenda an ordinance amending the Septic Tank Ordinance to allow evapotranspiration systems and aerobic systems for individual systems. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mullen, Snell, Trevino

Noes: None

Absent: Mayor Pro Tem Himmelblau

Councilmember Mullen stated that inspection and monitoring may need to be upgraded and maybe the fees will need to be raised. He asked that a report be given to Council in 30 days.

ADJOURNMENT

Council adjourned its Council Meeting at 3:30 p.m.

APPROVED

Carole Lector McEllen
Mayor

ATTEST:

Grace Monroe
City Clerk